11, 13, 14, 16 and 17 of U.S. Patent No. 6,822,293 to Yamazaki et al. and U.S. Patent No. 5,845,166 to Fellegara et al. and claims 13-21 under the doctrine of obviousness-type double patenting over claims 1-9 of Yamazaki '293.

The Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in the present application. At such time, the Applicants will respond to any remaining double patenting rejections.

Paragraph 2 of the Official Action rejects claims 1-12 as obvious based on the combination of U.S. Patent No. 5,926,235 to Han et al., U.S. Patent No. 5,852,481 to Hwang and Fellegara and claims 13-21 as obvious based on the combination of Han and Hwang. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

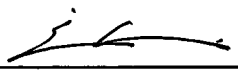
The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. The Official Action asserts that "Han discloses (figure 5I) ... at least one impurity region (see the region below portion 112)" and "an organic insulating layer (113b) ... being in contact with another portion of the impurity region" (pages 4-5, Paper No. 20050331). The Applicants respectfully disagree and traverse the above-referenced assertions in the Official Action.

Figure 5I of Han appears to teach that semiconductor layer 111 includes a region below an ohmic contact layer 112 and is in contact with a second passivation layer 113b. However, the Applicants respectfully submit that Han does not teach or suggest that a portion of the semiconductor layer 111 includes impurities. Specifically, Han teaches "an a-Si film (from which a semiconductor layer 111 is formed later), an n^+ a-Si film (from which an ohmic contact layer 117 is formed later) and a CR layer (from which a second metal layer 140 is formed) are sequentially deposited (FIG. 5B)" (see column 4, lines 6-10; emphasis added). That is, Han does not teach or suggest a process for introducing an impurity element into the a-Si film, and the region below portion 112 does not include impurities. Hwang and Fellegara do not cure the deficiencies in Han. The Official Action relies on Hwang to allegedly teach first and second insulating layers formed over a gate electrode (page 5, Paper No. 20050331) and on Fellegara to allegedly teach camera elements (Id.). Han, Hwang and Fellegara, either alone or in combination, do not teach or suggest that a portion of the semiconductor layer 111 of Han includes impurities.

Since Han, Hwang and Fellegara do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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